

**2. Information Disclosure Statement**

The Examiner states that the Information Disclosure Statement filed May 20, 2001 fails to comply with 37 CFR 1.98(a)(2) because copies of the documents were not filed. But a copy of each document was filed in the parent case, Serial No. 08/484,159, and therefore need not be re-submitted (MPEP 609). In fact, the Applicants also submitted replacement copies of each document cited in the parent case on September 13, 2000 because the first submission was misplaced within the PTO. The Applicants will submit another replacement copy of each document if indeed neither previously submitted set can be located within the PTO, but respectfully requests that a search be undertaken to identify at least one of the submitted sets.

**3. Claims 77-86 are rejected under 35 U.S.C. 112 as allegedly being indefinite.**

It is believed this rejection is inapplicable to the presently amended claims. The amendment is for typographical reasons and is not related to patentability.

Reconsideration and withdrawal of the rejection is respectfully requested. In view of the foregoing, it is believed the present application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date: May 6, 2002

By Richard S. Pietro

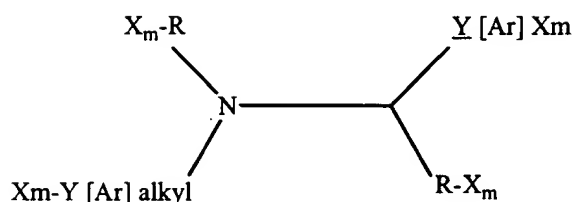
FOLEY & LARDNER  
Customer No. 23620

Richard San Pietro  
Attorney for Applicant  
Registration No. 45,071

Telephone: (858) 847-6700  
Facsimile: (858) 792-6773

## MARKED UP COPY OF CLAIMS

77. (Amended) A compound of the formula:



or a pharmaceutically acceptable salt or complex thereof, wherein alkyl is a C<sub>1</sub>-C<sub>6</sub> hydrocarbon having sp<sup>2</sup> and/or sp<sup>3</sup> hybridization;

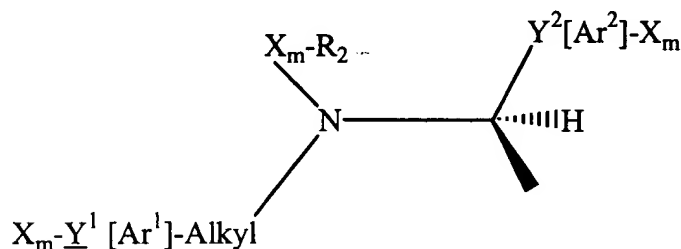
each Y [Ar] is independently an aromatic or cycloaliphatic ring or ring system;

each R is independently a hydrogen, -CF<sub>3</sub>, -CF<sub>2</sub>H, -CFH<sub>2</sub>, -CH<sub>2</sub>CF<sub>3</sub>, phenyl or C<sub>1</sub>-C<sub>10</sub> linear, branched, cyclic, fused cyclic and/or bicyclic alkyl having sp, sp<sup>2</sup> and/or sp<sup>3</sup> hybridization;

each X is independently a hydrogen, fluoro, chloro, bromo, iodo, -OR, -N(R)<sub>2</sub>, -SR, -S(O)R, -S(O)<sub>2</sub>R, cyano, nitro, -C(O)R, -OC(O)R, -C(O)OR, -N(R)-C(O)R or -C(O)NR<sub>2</sub>; and

each m is independently 0, 1, 2, 2, 4, 5, 6, or 7.

81. (Amended) The compound of claim 77 having the formula



or a pharmaceutically acceptable salt or complex thereof, wherein Y<sup>1</sup> [Ar<sup>1</sup>] and Y<sup>2</sup> [Ar<sup>2</sup>] are each independently an aromatic or cycloaliphatic ring or ring system; and

$R_1$  and  $R_2$  are each independently a hydrogen,  $-CF_3$ ,  $-CF_2H$ ,  $-CFH_2$ ,  $-CH_2CF_3$ , phenyl or  $C_1$ - $C_{10}$  linear, branched, cyclic, fused cyclic, and/or bicyclic alkyl having  $sp$ ,  $sp^2$  and/or  $sp^3$  hybridization.